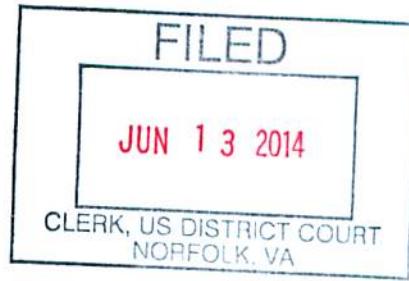


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division

CHRISTINE BANKS,



Plaintiff,

v.

ACTION NO. 4:13cv77

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

FINAL ORDER

Plaintiff Christine Banks seeks judicial review of the decision of the Commissioner of the Social Security Administration denying her claim for disability insurance benefits under Title II of the Social Security Act. Plaintiff specifically argues that the Administrative Law Judge ("ALJ") improperly assessed her residual functional capacity ("RFC") by failing to properly credit the opinions of a treating physician.

This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. §§ 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Local Rules of the United States District Court for the Eastern District of Virginia, for a report and recommendation. The Report and Recommendation of the Magistrate Judge was filed on April 25, 2014, recommending that the Court grant the Commissioner's motion

for summary judgment, deny Plaintiff's motion for summary judgment, and affirm the final decision of the Commissioner. By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge.

No objections were filed by either party.

Having reviewed the record, and finding no error, the Court hereby ADOPTS the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed on April 25, 2014, and the decision of the Commissioner is AFFIRMED, Defendant's Motion for Summary Judgment is GRANTED, Plaintiff's Motion for Summary Judgment is DENIED, and this case is DISMISSED.

Plaintiff is ADVISED that she may appeal from this Final Order by forwarding a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. Said written notice must be received by the Clerk within sixty (60) days from the date of this Final Order.

The Clerk shall forward a copy of this Final Order to counsel of record for the parties.



Mark S. Davis
United States District Judge

Norfolk, Virginia
June 12, 2014